

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

LADONNA BORNHOFT

PLAINTIFF

v.

Civil No. 05-5129

TYSON FOODS, INC.

DEFENDANT

O R D E R

Now on this 23d day of December, 2005, comes on for consideration **Tyson's Motion To Dismiss Breach Of Contract Claim** (document #4), and the Court, being well and sufficiently advised, finds that said motion is moot on account of the filing of plaintiff's Amended Complaint, and it is, therefore, **denied**.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE